

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: MELINDA J. HOLDERMAN and	:	CHAPTER 13
VICTOR C. HOLDERMAN	:	
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
MELINDA J. HOLDERMAN and	:	
VICTOR C. HOLDERMAN	:	
Respondent(s)	:	CASE NO. 4-19-bk-05367

TRUSTEE’S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 19th day of June, 2020, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)’ plan for the following reason(s):

1. Debtor(s)’ plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)’ disposable income is greater than that which is committed to the plan based upon the Means Test calculation and specifically disputes the following amounts:

- a. Plan payment calculation sum of Lines 34, 35, 36 45.
- b. Transportation ownership expense – Line 13 – Ownership expense for vehicles(s) without lien not permitted.
- c. Expenses are virtually certain to change when children ages 20, 18 and 16 move out of the house or begin to pay for their share of household expenses.

2. Trustee avers that debtor(s)’ plan is not feasible and cannot be administered due to the lack of the following:

- a. 2019 Federal Income Tax return.
- b. Last paystub dated on or about June 30, 2020.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/Agatha R. McHale
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 19th day of June, 2020, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Donald Hahn, Esquire
122 East High Street
P.O. Box 209
Bellefonte, PA 16823

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee